

Amendment
Serial No. 10/069,113
Attorney Docket No. 020233

REMARKS

Claims 1-18 are pending. The drawings, specification and claim 3 are amended.

Claim Rejections Under 35 U.S.C. § 112

Claims 1-18 were rejected under 35 U.S.C. §112, second paragraph. Favorable reconsideration is requested in view of the above-amendments and the following remarks.

Regarding Claim 1, the Examiner states that “first user ID data” is unclear. Claim 1 itself describes “user ID data” as data to “identify a user of said recording device” and the specification discusses user ID hold unit as “holding user ID data corresponding to information of the user of memory card 110.” (Specification, page 7, lines 4-5).

The Examiner next states that the difference between “reproducing content”, “recording content” and “accessing content” is unclear. These terms are not explicitly recited in Claim 1. Furthermore, “reproducing”, “recording” and “accessing” should be used in their ordinary plain meaning.

The Examiner also states that the term “protection information” is unclear. Protection information concerns information which restricts access to the encrypted content data. For example, protection information may dictate whether additional recording or erasure is allowed on the medium, or whether content can be reproduced or erased (Specification pages 8-9; Tables 1-2).

Regarding Claim 3, the Examiner states that since user ID data is not registered, it is unclear how user ID data can be changed. Claim 3 has been amended for clarity.

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Regarding Claim 4, the Examiner states that the difference between restricting the access to the device and restricting access to the storage unit is unclear. Claim 4 does not discuss restricting access to the storage unit. The claim discusses restricting access to the recording device and prohibiting the recording of additional information to the storage unit.

Regarding Claim 12, the Examiner states that since there is no user information registered, it is unclear how it can be changed. Claim 12 does not discuss changing user ID information. The claim discusses changing protection information when there is no user ID information registered.

Regarding Claim 18, the Examiner states that it is unclear whether the memory card is any card shaped storage device or whether it is a smart card (IC). "Memory card" is not meant to be narrowly defined as a smart card.

For the above reasons, the claims are believed to be in full compliance with 35 U.S.C §112.

Claims 1-5 and 13-18 were rejected under 35 U.S.C. 103 as being unpatentable over *Hasebe et al.* (US Patent 5,392,351) in view of *Lang* (US Patent 5,191,611); and claims 6-12 were rejected under 35 U.S.C. 103 as being unpatentable over *Hasebe et al.* in view of *Lang* and further in view of *Shear et al.* (US Patent Application 2001/0042043). These rejections are respectfully traversed.

Regarding Claim 1, the Examiner takes the position that *Hasebe et al.* discloses a recording device detachably attachable to a reproduction apparatus reproducing and outputting encrypted content data. The Examiner states that *Hasebe et al.* discloses a data input/output unit

allowing external data communication, a first storage unit, a user information hold unit, and a protection information memory unit. However, the Examiner admits that *Hasebe et al.* does not disclose updatable protection information. The Examiner cites *Lang* as disclosing updatable protection information.

Hasabe et al. discloses an electronic data protection system. The system protects software from being illegally copied by a third party. The external data communication is by way of a disk drive where a CD-ROM or a floppy disk is inserted. The encrypted data on the CD also includes a medium number for identifying the storage medium, and permission information for controlling the use of the software.

Lang discloses a method and apparatus for granting and updating privileges for accessing data on storage media. Access privileges are determined by information stored on an access device such as a smart card. Access privileges are updated by sending the user an updated code that can be entered by the user. If the access device is a smart card, privileges can be updated by transmitting the updated codes electronically.

Hasebe et al. does not disclose a user information hold unit for identifying a user of a recording device. The user information hold unit in the claimed invention holds information corresponding to the user of the memory card in the reproduction apparatus. *Hasebe et al.* discloses using a medium number which is a personal number for the particular medium holding the encrypted content data (col. 5, lines 31-39). The medium number is written to the user computer from the storage medium holding the encrypted data. However, the medium number is

not user ID information. Therefore, neither *Hasabe et al.* nor *Lang* discloses the user information hold unit of the claimed invention.

Furthermore, *Hasebe et al.* does not disclose a control unit controlling operation of the recording device by referring to protection information to restrict access to the encrypted data as recited in Claim 1. *Hasebe et al.* merely discloses sending encrypted permission information to a user computer for decryption. There is no control unit reading the permission information to restrict access to the encrypted data. Therefore, neither *Hasebe et al.* nor *Lang* discloses a control unit referring to protection information as in the claimed invention.

In addition, *Lang* does not disclose a protection information memory unit which is updatable in response to a result of comparing externally provided user information with the user information stored in the user information hold unit. *Lang* discloses updating privileges to access data by sending an updated access code to the user. The present invention allows protection information to be updated by determining whether user information on the memory card and the user information on the reproduction device are the same. Therefore, neither *Hasabe et al.* nor *Lang* discloses an updatable protection memory unit when given externally provided user information as in the claimed invention.

For at least the foregoing reasons, the claimed invention distinguishes over the cited arts and defines patentable subject matter. Favorable reconsideration is earnestly solicited.

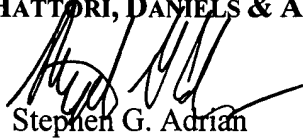
Should the Examiner deem that any further action by applicants would be desirable to place the application in condition for allowance, the Examiner is encouraged to telephone applicants' undersigned attorney.

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If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,

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A handwritten signature in black ink, appearing to read "Stephen G. Adrian", is written over the printed name.

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AMENDMENTS TO THE DRAWINGS

Seven (7) replacement sheets depicting Figs 6, 13, 15, 16, 17, 18 and 19 are attached hereto. The replacement sheets incorporate the changes for which approval was requested in the Request for Approval of Drawing Changes filed February 27, 2002. In addition, Fig. 6 has been further amended to correct “Ks” to - - Kmc – in step 132.